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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,987	03/13/2001	Guy David Holden	32887-254285	9377

7590 03/09/2007  
Charles Calkins  
Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101

EXAMINER
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VIG, NARESH

ART UNIT	PAPER NUMBER
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3629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,987	03/13/2001	Guy David Holden	32887-254285	9377

7590 12/16/2004

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EXAMINER

VIG, NARESH

ART UNIT PAPER NUMBER

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DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/803,987	HOLDEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Naresh Vig	3629	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

This is in reference to the Petition to Withdraw of Holding of Abandonment and office response mailed 30 June 2006. As noted on page 3 of the response mailed 30 June 2006, copy of the Office Action mailed 16 December 2004 is attached herewith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 23, 2007

Naresh Vig  
Examiner  
Art Unit 3629

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

Claims 1 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shavit et al. US Patent 4,799,156 hereinafter known as Shavit in view of Venigalla US Patent 6,766,361.

Regarding claim 1, Shavit teaches system and method for facilitating and managing relationships between and among business entities forming a community [Fig. 2].

Shavit does not explicitly teach a hub comprising at least one server providing standard message formats and an open integration architecture, network servicing component. However, Vanigalla teaches system and method for machine-to-machine e-commerce interface using Extensible Markup Language.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shavit as taught by Venigalla and use standard message formats to make the system and open architecture system.

Shavit in view of Venigalla teaches:

ateast one server providing standard message formats and an open integration architecture, network servicing component.

a plurality of entities, wherein each entity desires interaction with at least one other entity, and each entity is connected to the hub via a pathway using the hub's standard message formats and open integration architecture, wherein the hub facilitates interaction and establishes links between and among the plurality of entities [Fig. 2].

Regarding claim 2, Shavit in view of Venigalla teaches facilitating and managing relationships between and among business entities, wherein the standard message formats used by the hub and the plurality of entities are coded in Extensible Mark-up Language (XML).

Regarding claim 3, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein an entity is selected from the group consisting of a company, a customer, a supplier, a partner, a hub provider, a service provider, and a vertical market portal (field of use).

Regarding claim 4, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein the plurality of entities connected to the hub form an integration between and among vertical markets sites relevant to a particular industry (field of use).

Regarding claim 5, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein at least one entity

connected to the hub is also connected to at least one additional entity, the additional entity being connected to the hub, thereby adding an additional level of connectivity in the community (design choice of organizing the data, for example yellow pages, the one book, catalogues etc.).

Regarding claim 6, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein the community is implemented on a proprietary intranet (business choice, design choice).

Regarding claim 7, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein the community is implemented on a public, global computer network (business choice, design choice).

Regarding claim 8, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein the hub is provided by an entity in the community (business choice, design choice, field of use).

Regarding claim 9, Shavit in view of Penigalla teaches facilitating and managing relationships between and among companies and service providers, wherein the hub providing entity collects a fee for hub usage by other members of the community (business choice to elect whether to provide the system and method for free e.g.

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www.hotmail.com provides email service for free, or, provide the system and method for a fee e.g. www.aol.com provides email service for a fee).

Regarding claim 10, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein at least one entity in the community entity is a service provider selected from the group consisting of a financial service provider, a logistics service provider, a procurement service provider, a health, safety and environmental service provider, an e-commerce engine service provider, and a spot market service provider (business choice, field of use).

Regarding claim 11, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein services provided by a financial services provider comprise providing financial information, performing credit checks, and related services (business choice, field of use).

Regarding claim 12, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein services provided by logistics and/or procurement service providers comprise transportation and shipping services, and inventory tracking services (business choice, field of use).

Regarding claim 13, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities, wherein services provided by



health, safety and environmental (HSE) service providers comprise providing regulatory information relating to federal, state and international regulations (business choice, design choice, field of use).

Regarding claim 14, Shavit in view of Penigalla teaches facilitating and managing relationships between and among companies and service providers, wherein an entity in the community is a service provider capable of being automated or codified in computer software (design choice, field of use).

Regarding claim 15, Shavit teaches system and method for facilitating and managing relationships between and among business entities forming a community [Fig. 2].

Shavit does not explicitly teach establishing a hub for integrating entities within the community, the hub having one or more servers providing standard message formats and an open integration architecture, and network servicing component. However, Vanigalla teaches system and method for machine-to-machine e-commerce interface using Extensible Markup Language.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shavit as taught by Venigalla and use standard message formats to make the system and open architecture system.

Shavit in view of Venigalla teaches:

establishing a hub for integrating entities within the community, the hub having one or more servers providing standard message formats and an open integration architecture, and network servicing component.

integrating a plurality of entities with the hub via a plurality of pathways using the hub's standard message formats and open integration architecture, wherein each entity desires interaction with at least one other entity and communicates with other entities in the community through the hub.

Regarding claim 16, Shavit in view of Venigalla teaches enabling an entity in the community to form a pathway directly to a second entity in the community using the standard message formats used by the hub.

Regarding claim 17, Shavit in view of Penigalla teaches providing, by a service provider, services to one or more entities within the community, wherein the service provider and a service receiver are connected directly (business choice, design choice, field of use).

Regarding claim 18, Shavit in view of Penigalla teaches providing, by a service provider, services to one or more entities within the community, wherein the service provider and a service receiver are connected through the hub (business choice, design choice, field of use).

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Regarding claim 19, Shavit in view of Penigalla teaches facilitating and managing relationships between and among business entities forming a community, wherein at least one entity in the community is a service provider (business choice, design choice, field of use).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Shkedy US Patent 6,260,024
2. Venigalla US Provisional Application 60184778
3. XML For Absolute beginner

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372.

The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Naresh Vig", with a horizontal line drawn through the middle of the signature.

Naresh Vig  
Patent Examiner  
December 8, 2004